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Lloyd M. Green (LG 9140)

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
MILLIKEN & COMPANY,

Plaintiff,

07 Civ. 3175 (HB)

- against -

**NOTICE OF ENTRY**

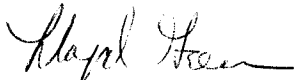
TULLAHOMA INDUSTRIES, LLC,

Defendant.  
-----X

PLEASE TAKE NOTICE that the annexed is a true and correct copy of an Order Granting Judgment and Referring Matter to Magistrate Judge for Further Proceedings as to Damages, dated June 28 2007, and entered on July 2, 2007, in the Office of the Clerk of the United States District Court for the Southern District of New York.

Dated: New York, New York  
July 6, 2007

OTTERBOURG, STEINDLER, HOUSTON &  
ROSEN, P.C.

By:   
Lloyd M. Green (LG 9140)

Attorneys for Plaintiff  
230 Park Avenue  
New York, New York 10169  
(212) 661-9100

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DOC #:  
DATE FILED: 6/29/07

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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

MILLIKEN & COMPANY,

Plaintiff,

07 Civ. 3175 (HB)

- against -

**ORDER GRANTING  
JUDGMENT AND  
REFERRING MATTER  
TO MAGISTRATE JUDGE  
FOR FURTHER  
PROCEEDINGS  
AS TO DAMAGES**

TULLAHOMA INDUSTRIES, LLC,

Defendant.

# 07,1259

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This action having been commenced on April 20, 2007 by the filing of the Summons and Complaint, and a copy of the Summons and Complaint having personally served on the defendant, TULLAHOMA INDUSTRIES, LLC, on April 26, 2007, by personally serving Richard Davenport, president of defendant TULLAHOMA INDUSTRIES, LLC, at TULLAHOMA INDUSTRIES, LLC, 1811 Old Estill Springs Road, Tullahoma, Tennessee 37388, and a proof of service having been filed on May 10, 2007, and the defendant having neither appeared herein, nor answered or moved with respect to the Complaint, and the time for answering the Complaint (or moving in respect thereof) having expired; and it appearing that pursuant to Fed. R. Civ. P. 54(b) there is no just reason to delay the entry of an immediate default judgment in plaintiff's favor for liability and damages against defendant on the First Claim for Relief set forth in the Complaint; and it further appearing that judgment as to liability only is also appropriate with respect to plaintiff's Second Claim for Relief as against defendant, with the determination of damages thereon to be determined in subsequent proceedings

NOW, on the motion of OTTERBOURG, STEINDLER, HOUSTON & ROSEN, P.C.,  
counsel for plaintiff, MILLIKEN & COMPANY, it is

ORDERED, ADJUDGED AND DECREED: That the plaintiff have judgment on its  
First Claim set forth in the Complaint against defendant in the liquidated amount of \$150,542.24,  
plus interest at 10.3 percent per annum from July 8, 2006 through June 28, 2007, (a total of  
\$12,816.45 through June 28, 2007) and \$42.48 for each day thereafter through the entry of  
judgment), amounting in all to \$ 163,359.69 through June 28, 2007, together with the  
costs and disbursements of this action as taxed and that plaintiff have enforcement thereof; and it  
is further

ORDERED, ADJUDGED AND DECREED: That plaintiff have judgment against  
defendant for liability on plaintiff's the Second Claim set forth in the Complaint for recovery of  
plaintiff's reasonable and actual legal fees and expenses in prosecuting this action, and that this  
matter be referred to Magistrate Judge Frank Maas for further proceedings solely to determine  
the amount of plaintiff's actual and reasonable attorneys' fees incurred in this matter, and that  
plaintiff be entitled to enter a subsequent judgment against defendant in such amount after the  
determination thereof.

Dated: New York, New York  
June 28, 2007

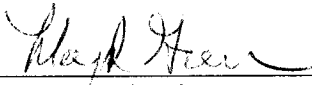


Harold Baer U.S.D.J.

This document was entered on the docket on July 2, 2007 *ML*

I, Lloyd M. Green, certify under penalty of perjury that on July 6, 2007 I caused a copy of the within Notice of Entry of an Order Granting Judgment and Referring Matter to Magistrate Judge for Further Proceedings as to Damages, dated June 28 2007, and entered on July 2, 2007, in the Office of the Clerk of the United States District Court for the Southern District of New York to be served upon defendant by Federal Express, Standard Overnight Delivery, for Monday, July 9, 2007 by placing said Notice in a wrapper addressed to:

Tullahoma Industries, LLC  
1811 Old Estill Springs Road  
Tullahoma, Tennessee 37388  
Att: Mr. Richard Davenport  
President

  
\_\_\_\_\_  
Lloyd M. Green